



Entered on Docket
May 16, 2011

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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16 Attorneys for Secured Creditor THE BANK OF NEW YORK MELLON TRUST
17 COMPANY, NATIONAL ASSOCIATION AS GRANTOR TRUSTEE OF
THE PROTIUM MASTER GRANTOR TRUST

18 UNITED STATES BANKRUPTCY COURT

19 DISTRICT OF NEVADA

20 In re

21 KENNETH WAYNE GARRETT AND
22 DOREANA MACHELL GARRETT,

23 Debtor(s).

Bankruptcy Case No. Bk-S-10-27664-mkn
Chapter 7

THE BANK OF NEW YORK MELLON
TRUST COMPANY, NATIONAL
ASSOCIATION AS GRANTOR TRUSTEE
OF THE PROTIUM MASTER GRANTOR
TRUST'S ORDER TERMINATING
AUTOMATIC STAY

Date: May 11, 2011

Time: 1:30 PM

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1 A hearing on Secured Creditor The Bank of New York Mellon Trust Company,
2 National Association as grantor trustee of the Protium Master Grantor Trust's Motion for Relief
3 From the Automatic Stay came on regularly for hearing in the United States Bankruptcy Court
4 before the Honorable Mike K. Nakagawa, Matthew M. McArthur appearing on behalf of Secured
5 Creditor.

6 The court having duly considered the papers and pleadings on file herein and
7 being fully advised thereon and finding cause therefor:

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

9 The automatic stay of 11 United States Code section 362 is hereby immediately
10 terminated as it applies to the enforcement by Movant of all of its rights in the real property
11 under the Note and Deed of Trust encumbering the real property commonly known as 511 First
12 Light Street, Henderson, Nevada 89052 ("Real Property"), which is legally described as:

13 LOT FORTY-FIVE (45) IN BLOCK THREE (3)
14 OF GREEN VALLEY HEIGHTS UNIT 3 AS
15 SHOWN BY MAP THEROF ON FILE IN BOOK
16 76 OF PLATS, PAGE 36, IN THE OFFICE OF
THE COUNTY RECORDER OF CLARK
COUNTY, NEVADA.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or
18 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale
19 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days
20 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at
21 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the
22 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada
23 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to
24 provide 7 days' notice to the Debtor(s).

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
2 offer and provide Debtors with information re: a potential Forbearance Agreement, Loan
3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
4 may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to
5 enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this
6 bankruptcy case.

7 APPROVED/DISAPPROVED APPROVED/DISAPPROVED

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9 TAYLOR L. RANDOLPH YVETTE WEINSTEIN
10 DEBTOR(S) ATTORNEY TRUSTEE

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In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved.

☐ Disapproved.

☐ Failed to respond.

☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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Submitted by:

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